

EXHIBIT

“2”

***Counter-Defendant and Third-Party
Defendants’ Original Answer to Defendant’s
Amended Counterclaim
(filed 9/7/2018 in Cause No. 2012-CI-05517)***

FILED
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 Donna Kay McKinney
 Bexar County District Clerk
 Accepted By: Brenda Carrillo

CAUSE NO. 2012-CI-05517

FIDELITY NATIONAL TITLE	§	IN THE DISTRICT COURT OF
INSURANCE COMPANY,	§	
	§	
Plaintiff,	§	
Counter-Defendant,	§	
v.	§	BEXAR COUNTY, TEXAS
	§	
ANDREW M. PARKER,	§	
	§	
Defendant,	§	224th JUDICIAL DISTRICT
Counter-Plaintiff,	§	
Third-Party Plaintiff	§	
v.	§	
FIDELITY NATIONAL FINANCIAL,	§	
INC., GREGORY T. BREWER,	§	
JONATHAN J. CUNNINGHAM,	§	
TRAMAINÉ Y. SCOTT, SHAWN	§	
HEINE, AMY MILES, SHERRY	§	
FINLEY, CHRISTINA JOHNSON,	§	
CHRIS FREDERICKS, JOHN M.	§	
LEDYARD, CALE O'BRIEN	§	
Third-Party Defendants.	§	

**COUNTER-DEFENDANT AND THIRD-PARTY DEFENDANTS' ORIGINAL ANSWER
 TO
 DEFENDANT'S AMENDED COUNTERCLAIM**

TO THE HONORABLE DISTRICT COURT:

COME NOW, FIDELITY NATIONAL TITLE INSURANCE COMPANY ("Counter-Defendant"), and FIDELITY NATIONAL FINANCIAL, INC., GREGORY T. BREWER, JONATHAN J. CUNNINGHAM, TRAMAINÉ Y. SCOTT a/k/a TRAMAINÉ YVONNE TINNER, SHAWN HEINE, AMY MILES, SHERRY FINLEY, CHRISTINA JOHNSON, CHRIS FREDERICKS, JOHN M. LEDYARD and CALE O'BRIEN ("Third-Party Defendants"), who file this their Original Answer in response to Andrew M. Parker's ("Defendant") Amended Counterclaim and in support show:

GENERAL DENIAL

1. Pursuant to Rule 92 of the *Texas Rules of Civil Procedure*, Counter-Defendant and Third-Party Defendants deny each and every allegation contained in Defendant Andrew Parker's Amended Counterclaim and demand strict proof thereof as required by the Constitution and laws of the State of Texas.

AFFIRMATIVE DEFENSES

2. Pursuant to Rule 94 of the Texas Rules of Civil Procedure, Counter-Defendant and Third-Party Defendants assert they are not liable to Andrew Parker because Andrew Parker's claims are all barred by the applicable statute of limitations in Texas Civil Practice & Remedies Code.

3. Pursuant to Rule 94 of the Texas Rules of Civil Procedure, Counter-Defendant and Third-Party Defendants assert that Andrew Parker has failed to state a claim upon which relief can be granted.

4. Pursuant to Rule 94 of the Texas Rules of Civil Procedure, Counter-Defendant and Third-Party Defendants assert they are not liable to Andrew Parker because Andrew Parker lacks standing to bring the claims he has asserted.

5. Pursuant to Rule 94 of the Texas Rules of Civil Procedure, Counter-Defendant and Third-Party Defendants assert the affirmative defense of immunity.

6. Pursuant to Rule 94 of the Texas Rules of Civil Procedure, Counter-Defendant and Third-Party Defendants additionally assert that Parker's attempted pleading under Tex. Civ. Prac. & Rem. Code, Chapter 37, is a disallowed re-assertion of other pleaded claims and disallowed attempt to recover attorney's fees.

PRAYER & REQUEST FOR SANCTIONS

7. Andrew Parker's counter-claims against Counter-Defendant and Third-Party Defendants, as pleaded in Parker's Amended Counterclaim, are baseless in law and fact and brought in bad faith, for the purpose of harassment, and to increase the cost of litigation in violation of Chapter 9 of the Texas Civil Practices and Remedies Coder, Chapter 10 of the Texas Civil Practices and Remedies Code, and/or Rule 13 of the Texas Rules of Civil Procedure. Accordingly, Counter-Defendant and Third-Party Defendants request and pray for sanctions to be levied, including but not limited to an award of attorney's fees and costs, against Andrew Parker and his attorney Kristine Arlitt, jointly and severally.

8. Counter-Defendant and Third-Party Defendants pray that Andrew Parker take nothing by his suit and that Parker's claims against Counter-Defendant and Third-Party Defendants be dismissed, that sanctions be imposed against Andrew Parker and his attorney Kristine Arlitt, jointly and severally, and be granted such other relief, at law or equity, to which Counter-Defendant and Third-Party Defendants may justly be entitled.

Respectfully submitted,

/S/ Jonathan J. Cunningham

Gregory T. Brewer

State Bar No. 00792370

Jonathan J. Cunningham

State Bar No. 00793574

FIDELITY NATIONAL LAW GROUP

5151 Beltline Road, Ste. 410

Dallas, Texas 75254

Phone: (972) 812-6545

Fax: (972) 812-9408

Email: gregory.brewer@fnf.com

jonathan.cunningham@fnf.com

**ATTORNEYS FOR PLAINTIFF/
COUNTER-DEFENDANT and
THIRD-PARTY DEFENDANTS**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been sent to all parties and known counsel of record pursuant to the Texas Rules of Civil Procedure on this 7th day of September, 2018 as follows:

**Via E-File Service and
Via E-Mail to: kristine@arlittlaw.com**

Kristine Arlitt
Attorney at Law
206 East Locust Street
San Antonio, Texas 78212
PO Box 90771
San Antonio, Texas 78209
500 Main Street
Kerrville, Texas 78028
Telephone: 210-269-6101
Facsimile: 210-821-6105

**Attorney for Defendant
Andrew M. Parker**

/s/ Jonathan J. Cunningham

Jonathan J. Cunningham